

Evaluating Drug Court Programs: An Overview of Issues and Alternative Strategies

March 1996

Prepared by:

Roger H. Peters, Ph.D.
Department of Mental Health Law and Policy
Florida Mental Health Institute
University of South Florida



This report was prepared with funding from the Center for Substance Abuse Treatment of the Treatment Improvement Protocol (TIP) Series and was distributed to attendees at the National Symposium on the Implementation and Operation of Drug Courts as a discussion document. CSAT has granted permission to the American University to publish this report in its Publication Series.

Acknowledgement

We are very appreciative of the support of the Center for Substance Abuse Treatment that made this report possible, and for the assistance of Sandra M. Clunies, Public Affairs Officer, in the Quality Assurance and Evaluation Branch at CSAT, in making it available.

Caroline S. Cooper, Coordinator
National Symposium on the Implementation
and Operation of Drug Courts



Table of Contents

I. Overview

- A. Need for Evaluation

- B. Evaluation As An On-Going Process

- C. How Evaluation Information Should Be Used
 - 1. General
 - 2. Program Monitoring
 - 3. Assessing Program Outcome/Impact

II. Evaluation Design and Implementation Strategies

- A. General

- B. Short-Term Evaluation Strategies

- C. Long-term Evaluation Strategies

- D. Developing a Timetable for Evaluation Activities
- E. Obtaining Participant Cooperation in Evaluation Activities
- F. Involving Participating Agencies in the Evaluation Process

III. Developing an Evaluation Data System

- A. Compiling Reliable and Comprehensive Information
- B. Developing Coordination Mechanisms Among Agencies Involved
- C. Use of MIS Systems and Other Technology

IV. Types of Evaluation Approaches

- A. General
- B. Process Evaluation
 - 1. Uses
 - 2. Questions Addressed
 - 3. Major components
 - a. Obtaining Characteristics of Program Participants
 - (1) Type of Information to Obtain
 - (2) Potential Information Sources
 - (3) Potential Uses of the Information Obtained
 - b. Characteristics of Program Services
 - (1) Type of Information to Obtain
 - (2) Potential Information Sources
 - (3) Potential Uses of the Information Obtained
 - c. Defendant's Involvement in Program Services
 - (1) Types of Information to Obtain

(2) Potential Information Sources

(3) Potential Uses of the Information Obtained

d. Effects of Program Services on the Larger Court System

(1) Types of Information to Obtain

(2) Potential Information Sources

(3) Potential Uses of the Information

C. Outcome Evaluation

1. Focus and Role of Outcome Evaluation Information in a

Drug Court Program

2. Designing an Outcome Evaluation

a. Experimental Model

b. Strategies for Addressing Ethical and Legal Issues

that May Arise

(1) General Concerns

(2) Assigning Defendants to Different "Levels" of

Treatment

c. Use of "Quasi-Experimental" Designs

(1) Pre-Post Designs

(2) Comparison Groups

d. Questions an Outcome Evaluation Should Address

D. Critical Evaluation Areas Which Need to be Addressed

1. Relevant Outcome Measures

2. Special Issues Relevant to Compiling Information on Outcome

Evaluation Measures Relevant to Drug Court Programs

a. Criminal Involvement

(1) Significance of the Information

(2) Type of information to Obtain

(3) Potential Sources of Information

b. Substance Abuse

(1) Significance of the Information

(2) Type of Information to Obtain

(3) Potential Sources of Information

c. Progress Toward Other Treatment/Rehabilitative Goals

(1) Significance of the Information

(2) Type of Information to Obtain

d. Determining Costs and Benefits of the Program

(1) Significance for drug court programs

(2) Cost-Benefit Questions

(3) Strategies for Estimating Costs and Benefits

V. Other Program Evaluation Issues

A. Selecting an Evaluator

B. Funding for Program Evaluation

1. Overview

Figure 1: Alternative Evaluation Approaches and Resources Required

2. Evaluation Funding Sources

VI. Protection of Confidentiality and Data Security

Appendix A: References

(1) Bibliography of Recent Drug Court Evaluation Reports

(2) Additional Reference Sources Relevant to Drug Court Program Evaluation

Appendix B:

Guideline for Compiling and Entering Into a Data Base Information Relevant to Drug Court Program Evaluation

I. Overview

A. NEED FOR EVALUATION

As drug courts are implemented across the country, there is a corresponding need developing to describe program outcomes, particularly those related to substance abuse and criminal behavior among program participants. To date, only a few evaluation studies have examined drug court programs (See Appendix A). Although findings from these initial studies are generally encouraging, the methods and scope of these efforts have been limited. Many fundamental operational aspects of drug court programs have yet to be assessed. For example, there is currently insufficient evidence to inform public policy with regard to the optimal length of drug court programs, the most effective blend of program services, and characteristics of defendants who are most likely to benefit from these strategies.

Concerns about costs, fiscal accountability, and quality of care have helped to shape the current health care reform movement. In this era of budget constraints and fiscal conservatism, program administrators within criminal justice settings will increasingly be asked to show that the services they deliver produce tangible outcomes and are cost-effective. In light of the recent focus on accountability of health care services, it is unlikely that drug court programs will thrive without the ability to describe criminal justice outcomes, rates of substance abuse relapse, employment, and other indicators of community adjustment.

B. EVALUATION AS AN ONGOING PROCESS

Evaluation of drug court programs is an ongoing process of gathering objective information that can be used by program administrators, policymakers and other decisionmakers. For example, judges may want to know if drug court programs are as effective in reducing recidivism as standard conditions of probation used with drug offenders. Court administrators may need to determine if these programs save time and expense in clearing cases. Public defenders may need information to verify that drug courts do not lead to increased levels of punishment for their clients. Prosecutors may be interested in rates of arrest for violent crime among participants supervised by the drug court program. The general public may want to determine if the program is allowing dangerous criminals to return to the community.

C. HOW EVALUATION INFORMATION SHOULD BE USED

1. General

Evaluation serves a dual purpose of monitoring program operations and examining program outcomes. Information gathered from monitoring and outcome evaluation activities is used to modify program procedures, approaches, or interventions, and to justify continuation or expansion of existing services.

2. Program Monitoring

Monitoring activities provide ongoing information that can be used within the program to enhance the quality of services. Key monitoring activities include:

- Identification of difficulties in implementing program services;
- Assessment of progress towards measurable goals; and
- Assistance in revising program procedures.

3. Assessing Program Outcome/Impact

Outcome evaluation activities describe results (e.g. reduced criminal recidivism) that are uniquely attributable to the drug court program, and that are of interest to the larger community.

The following chapter presents guidelines for designing and implementing evaluations of drug court programs. In addition to information contained in this chapter, several other materials listed in the Appendices may be useful in developing evaluation strategies for drug court programs.

II. Evaluation Design and Implementation Strategies

A. GENERAL

The evaluation design for a drug court program should be developed in the early stages of program implementation, and should take into account the need for significant coordination in data collection efforts among the agencies and organizations involved and the lengthy duration of time required to obtain measurable results. Evaluation goals and objectives should be carefully articulated during the program planning phase. It may help to describe these goals and objectives in operational or quantifiable terms (e.g. 80% of enrolled participants will complete the program). In addition to measuring attainment of program goals and objectives, a good evaluation should also help determine how the program achieved these results.

The availability of resources that can be devoted to evaluation will help guide the scope and comprehensiveness of evaluation activities. Each drug court program should strive to undertake some degree of evaluation that attempts to determine whether the program was implemented as intended and whether program goals were attained. Most evaluations include a blend of short and long-term strategies to ensure program accountability. This approach provides ongoing information to administrators and policy makers (particularly during early stages of program development), and also reflects the lengthy period of time required to gather follow-up outcome results.

B. SHORT-TERM EVALUATION STRATEGIES

Short-term strategies include identification of 'intermediate' outcomes such as:

Rates of program completion;
Reductions in substance abuse over time;
Improvement in drug coping skills; and
Other indicators of participant progress.

Other short-term evaluation activities may examine program implementation issues, such as:

The effectiveness of the referral system in identifying an appropriate 'pool' of defendants for the program;
Utilization of services (e.g. whether the program census remains at a desirable and consistent level); and
The quality of case management and treatment services.

C. LONG-TERM EVALUATION STRATEGIES

Long-term evaluation strategies usually involve examining the program impact after defendants have been discharged, and the cost-effectiveness of the program. Program outcomes are usually examined during a predetermined follow-up "period" that begins after defendants' discharge from the drug court program. At least six months to one year should be allowed for follow-up evaluation to fully assess long-term results of the program.

D. DEVELOPING A TIMETABLE FOR EVALUATION ACTIVITIES

A timetable of evaluation activities should be developed to assist in operationalizing both short and long-term goals and objectives, reviewing the evaluation plan with policy makers and administrators, and in monitoring the progress of evaluation activities. In developing this timetable, evaluators should recognize that many drug court programs will require up to a year to fully implement effective treatment and supervision strategies, so that no comprehensive

evaluation can even begin until after that point. Outcome evaluations conducted before a program has had the opportunity to resolve operational difficulties that commonly occur; such as those related to screening, referral, provision of treatment services, drug testing, use of sanctions, or other aspects of the drug court program; may underestimate the level of successful program outcomes eventually obtained.

E. OBTAINING PARTICIPANT COOPERATION IN EVALUATION ACTIVITIES

Consideration might be given to requiring defendants in drug case programs to participate in short and long-term evaluation activities as a condition of their release from court supervision. Defendants' participation in evaluation activities should be carefully described within informed consent protocols reviewed at the time of program admission.

F. INVOLVING PARTICIPATING AGENCIES IN THE EVALUATION PROCESS

Each participating agency in the drug court program should perceive some degree of responsibility, involvement, and "ownership" in developing the evaluation. This involvement is particularly important if the agency will be asked to assist in collecting evaluation data. Evaluation efforts should also be designed to provide information that is useful to agency administrators. Whenever possible, judges, prosecutors, the defense bar, and other participating agency staff should be involved in developing evaluation goals and planning methods and procedures for implementing the evaluation.

III. Developing an Evaluation Data System

A. COMPILING RELIABLE AND COMPREHENSIVE INFORMATION

The effectiveness of evaluation efforts hinge directly on the ability to collect accurate and reliable information. A wide range of information is needed to conduct a comprehensive evaluation of drug court programs. Multiple sources of information enhance the credibility and persuasiveness of conclusions developed from the evaluation. Evaluations of drug court programs should capitalize on sources of information that may already exist within the court system, participating treatment agencies, and community agencies that supervise and track offenders, such as probation/parole, pretrial services, or Treatment Accountability for Safer Communities (TASC) programs. These sources of information may include:

Criminal justice databases

Intake reports

Psychosocial histories

Substance abuse assessments

Discharge plans

Drug test results

New evaluation instruments and data collection forms (e.g. intake assessment forms, follow-up tracking and interview forms) may also need to be developed for the project. Procedures should also be developed to collect, compile, and merge diverse sources of evaluation data from criminal justice/court records, the treatment agency, follow-up of defendants after discharge from the program, and from other existing databases.

B. DEVELOPING COORDINATION MECHANISMS AMONG AGENCIES INVOLVED

Most drug court programs involve multiple agencies that use a wide variety of screening, assessment, and other instruments to collect information. These instruments will need to be coordinated and adapted for evaluation purposes. Drug court programs also require significant sharing of information among different agencies. Some agencies may be guided by internal, state, or federal regulations or policies that limit sharing of information. These regulations or policies can often be amended to provide greater access to evaluators or staff from external agencies. An initial memorandum of understanding (MOU) among participating agencies should indicate the agency's commitment to work with evaluation staff to adapt data collection

instruments and procedures (as needed), to describe procedures to allow evaluators access to agency records, and to coordinate confidentiality requirements.

C. USE OF MIS SYSTEMS AND OTHER TECHNOLOGY

Gathering evaluation information often requires considerable staff time, but can be streamlined through use of a computerized MIS system and related equipment such as an optical scanner. The MIS can store and categorize information, and generate forms and reports necessary for evaluation efforts. In addition to providing an evaluation database, the MIS also allows staff and agencies within the drug court program to coordinate and share information. Larger jurisdictions usually have MIS departments that can assist in developing software and data entry procedures to computerize evaluation records. Evaluators should be involved in designing and implementing the MIS system developed for the drug court program, whenever possible.

Information entered into the MIS may be obtained from participant screening information, program intake reports, initial assessments, criminal history searches, court status reports, treatment status/progress reports, drug test results, discharge reports, and other sources. Specific types of information that are useful to store within the MIS are described in subsequent sections of this chapter, and include:

Characteristics of program participants;

Participant involvement in program services (e.g. treatment, status hearings); and

Criminal justice status and drug testing results during involvement in the program.

One example of a coordinated MIS system is a non-copyrighted software system that is available at a nominal charge from the National Consortium of TASC Programs. TASC programs operate in many states to provide coordination and linkage services between the treatment community, the courts, and the larger criminal justice system. This MIS operates on various computer platforms, and allows access to data from several different locations (e.g. treatment agency, court administrator's office). Information about this MIS system can be obtained from the SEARCH Group, Inc., at (916) 392-2550.

Several drug court programs have developed MIS systems for internal management and

evaluation which are specifically designed for the drug court program. Those developed by the District of Columbia Superior Court Pretrial Services Agency and the Multnomah County Circuit Court's InAct program, for example, provide comprehensive and continually updated treatment and criminal justice information on each participant. Additional information describing these and other automated MIS systems can be obtained through the Office of Justice Programs Drug Court Clearinghouse and Technical Assistance Project and several other sources listed in the Appendices.

IV. Types of Evaluation Approaches

A. GENERAL

As noted in Section I, two complementary types of evaluation activities that can be adapted within criminal justice settings are: (1) a process evaluation, and (2) an impact (or outcome) evaluation. A process evaluation helps to determine whether the program is meeting administrative and procedural goals (e.g. whether treatment services are implemented as intended). An outcome or impact evaluation helps to determine whether the program is reaching its long-term goals, such as those related to criminal recidivism, substance abuse, and successful adjustment or "reentry" of program participants (e.g. whether defendants are less likely to be arrested as a result of program participation).

Process and outcome evaluation activities are often planned and implemented simultaneously. However, information obtained from the process evaluation is most useful during early stages of the drug court program's operation, while the outcome evaluation typically requires at least a year to compile results from follow-up tracking of program participants. Different evaluators are sometimes used to conduct process and outcome activities.

As described in the following section, process evaluation activities consist of:

Observing program services;

Conducting surveys and interviews with staff, participants, and community constituents; and
Review of program records.

Outcome evaluation activities often include:

Review of criminal justice and treatment records; and
Follow-up interviews with program participants.

All programs should attempt to provide some level of outcome evaluation, reflecting the importance of these evaluation results to policy makers and administrators. Many substance abuse programs in the criminal justice system have been abandoned or greatly reduced in size due to the absence of outcome results.

B. PROCESS EVALUATION

1. Uses

Process evaluation activities can assist drug court programs in the following ways:

To refine and improve drug court program operations;
To describe key program characteristics and implementation issues for jurisdictions interested in program replication; and
To describe program characteristics that define the context or environment in which program outcomes are achieved.

Process evaluation activities should begin immediately when the program is implemented, and continue in some form throughout the course of program operations. The most intensive process evaluation activities should be conducted within the first two years of program operation in order to detect and resolve initial implementation problems.

2. Questions Addressed

Below are critical questions which the process evaluation should address.

What are the program goals and objectives?

Are the program goals and objectives attainable given the program design and level of resources available?

Has the program met the stated goals and objectives related to implementation and utilization of services?

Have all of the intended services been provided?

Have the services been provided as intended?

What services that are not currently provided should be added to the program?

Did the program reach the intended "target" population?

Did the program widen the "net" of defendants who were supervised by the court, or who received criminal justice sanctions?

Was the program implemented within projected time frames?

What problems were encountered in program implementation, operation, and performance? How were these problems resolved?

What are the characteristics of defendants participating in the program? Is this an appropriate population to receive drug court services? Is this the population that was intended to receive drug court services?

What are the characteristics of the program itself? (e.g. average length of participation, types of interventions or services provided, costs of the program, linkages with vocational rehabilitation; substance abuse, rehabilitation, and other health services; community relations;

What are the guidelines and training provided to staff?

Do the program services reflect the needs of participants?

Does the program provide culturally appropriate services and staff to address the needs of participants?

Does the program provide a range of treatment services and settings that reflect the unique needs of participants?

How does the drug court program affect the court's overall caseload?

How do key stakeholders in the drug court program, the criminal justice system, and the larger community perceive the effectiveness of the program?

3. Major Components

a. Obtaining Characteristics of Program Participants

(1) Type of Information to Obtain

An accurate description of drug court participants is essential in order to interpret the evaluation results. For example, certain characteristics of participants in substance abuse treatment (e.g. criminal justice history, psychiatric symptoms) have been found to influence program outcomes, and should be considered in interpreting the results of a program evaluation.

Examples of the type of information that should be obtained to provide characteristics of program participants:

Demographic characteristics (e.g. age, gender, race/ethnicity, marital status) ;

Criminal justice history (e.g. prior felony arrests, drug felonies, current criminal justice status, release orders);

Substance abuse history (e.g. current level of use, substance abuse treatment history, DSM substance abuse/dependence diagnoses, family history of substance abuse, other indicators of substance abuse severity);

Vocational status;

Economic status, sources of financial support;

Academic achievement;

Family relationships, marital status, social adjustment information, living

arrangements;

Mental health history, current mental health symptoms, mental health treatment history;

Medical history, current medical problems (e.g. "TB" or other highly infectious disease);

HIV risk behaviors and attitudes;

History of physical or sexual abuse; and,

Attitudes towards treatment (e.g. motivation or "readiness");

(2) Potential Information Sources

Clinical records from the substance abuse treatment agency provide an important source of information regarding participant characteristics. These records include:

Client intake forms;

Psychosocial histories;

Treatment plans;

Progress notes;

Results of screening and assessment instruments; and

Results from interviews conducted during admission to the treatment program.

Several structured interview instruments (e.g. Addiction Severity Index; ASI) are available that attempt to systematically collect participant information across several "domains" of information that are reviewed here.

In addition, pre-trial release evaluations, pre-sentence evaluations, and other court, probation, and criminal justice records provide an important source of information, and often provide the only basis for comparing different groups of defendants examined in an evaluation. Medical, and mental health records should also be reviewed, and may need to be obtained from agencies affiliated with the drug court program.

(3) Potential Uses of the Information Obtained

Information relating to participant characteristics can be of great value in describing the population served by the drug court program and identifying areas for refinement and/or improvement. This information can:

Be useful to administrators in describing program participants

Identify specific treatment and other service needs of program participants that is useful in developing treatment and case management plans

Assist in generating profiles of defendants who "succeed" and "fail" in treatment and during follow-up, or who respond to different levels of program interventions

Provide a "baseline" measure in key areas of psychosocial functioning

Help to determine the comparability of different drug court program populations

b. Characteristics of Program Services

(1) Type of Information to Obtain

An accurate description of the length and content of services provided by drug court programs, characteristics of staff, and of program resources and facilities is essential to fully understand outcome evaluation results and to replicate effective programs.

Information relating to the characteristics of the program's services should include:

Program goals and objectives

Program population, census, number of eligible defendants/number admitted to program

Type of treatment services delivered

Type, frequency, duration of treatment sessions (and other major interventions) attended by participants

Accessibility and utilization of treatment services

Frequency of status hearings during various treatment "phases"

Description of clinical, court, and community supervision staff (e.g. probation, parole, pre-trial services)

Program facilities and resources

Program budget and financing

Ancillary services provided in the community

Description of major program operations, including the following:

- Administrative and fiscal operations

- Intake and assessment procedures

- Sanctions imposed on participants, procedures for responding to relapses, infractions

- Level of monitoring provided by the court

- Coordination of services and linkages (e.g. between court, community agencies, probation, Sheriff's office)

Barriers to program implementation, and successful strategies used to resolve these difficulties

Public policy affecting court or treatment systems

How the program has changed over time in key areas described above

Program services are typically described through:

Informational brochures;
Schedules of treatment activities;
Interviewing key staff;
Observation of treatment sessions or court hearings; and
Review of court or treatment agency records

Measures of program changes are obtained through:

Interview and observation with judges, treatment personnel, court and probation staff, and with other community service providers; and
Survey of program participants.

Many programs also compile a chronological log of project milestones to describe key events or changes to the program (e.g. changes in the budget or staffing pattern).

(3) Potential Uses of the Information Obtained

Information relating to the services provided by the program can:

Assist other jurisdictions in replicating one or more components of the program
Allow comparison with other programs in key areas such as frequency and intensity of treatment
Be useful for administrators in describing program components
Assist administrators to identify barriers to program implementation
Provide an historical record of how the program has evolved over time
Be useful in explaining changes in program outcomes observed over time

c. Defendant's Involvement in Program Services

(1) Types of Information to Obtain

Evaluating defendants' involvement in the services provided by a drug court should examine what happens to defendants during participation in the drug court program, and describe their progress through different "phases" of the program. This examination may be of particular interest to judges and prosecutors in aiding them to determine whether defendants have received the level of services ordered by the court.

Information relevant to a defendant's involvement in the drug court program would include:

Dates of program admission, discharge, and graduation from each "phase" of program

Major treatment interventions received in each "phase" of the program

Attendance in treatment, extended absences from treatment, duration of absences, reason for absences

Service needs identified during involvement in the program

Service referrals initiated by the program

Number of judicial hearings attended

Number of "failures-to-appear" at judicial hearings

Urinalysis results, self-reported substance abuse

Incident or disciplinary reports in treatment

Other program violations

Type and amount of sanctions received, including days incarcerated prior to program completion

Length of time in benchwarrant status

Status at time of discharge from program

Successful completion

Unsuccessful termination (reason for termination)

Benchwarrant status

Probation or parole supervision

Incarcerated in jail

Committed to prison

Other disposition

(2) Potential Information Sources

Measures of participant progress should be obtained from court and treatment agency records.

These may include:

Court files

Progress notes or other clinical case file information

Many programs have developed a database management system (or MIS) to record individualized records of participant involvement in services. A database management system can provide a cumulative record of participant program activities and allows for aggregate description of key program characteristics related to duration of treatment, completion of program "phases", and discharge. A description should be provided of important activities and events occurring during each "phase" of the drug court program.

(3) Potential Uses of the Information Obtained

Information relating to a defendant's participation in the program is particularly useful

to:

Identify key markers of participant progress during involvement in the program

Assist administrators in evaluating participant "flow" through the program, and in identifying barriers to program completion

Determine if participants have received appropriate services (e.g. health/mental health services, AIDS education/prevention services)

Assist in generating profiles of defendants who "succeed" and "fail" in treatment and during follow-up

d. Effects of Program Services on the Larger Court System

(1) Types of Information to Obtain

Evaluation of drug court programs should attempt to assess the impact of services on the criminal court process as well as the court system generally. The impact of a program on the court system is likely to vary according to the program size, the scope of services, and the size of the jurisdiction.

Information relating to the impact of the program on the general court system might include:

Time to disposition of cases (civil, drug, other felonies)

Size of pending felony, drug felony caseload

Size of jail population

Reductions in delays of non-drug cases resulting from diversion of drug cases for special processing

Length of drug case disposition process

Duration of pretrial detention

Number of hearings prior to disposition

Number of court sanctions involving jail incarceration

Commitments to state prison

Rearrest, duration of jail incarceration among program participants

Number of probation violations, violation hearings

(2) Potential Information Sources

Case processing information should be obtained through court records and through coordination with court administrators. Information related to arrest and disposition may also

be available through court records, or through the county sheriff's office, probation or parole services, or through databases maintained by other criminal justice agencies.

(3) Potential Uses of the Information

Case processing information relating to the operation of the criminal docket specifically and the court system generally can be very useful for:

Determining whether the program has reached desired goals of reducing court dockets, expediting initial case processing, and reducing criminal recidivism;
Assisting in developing cost-benefit or cost effectiveness analysis; and
Caused any unanticipated disfunction in the operation of the court system

C. OUTCOME EVALUATION

1. Focus and Role of Outcome Evaluation Information in a Drug Court Program

Most drug court programs attempt to achieve long-term outcomes for the defendant and for the larger community. As a result, it is important to determine outcomes (e.g. substance abuse, criminal activity) during involvement in the program and also after discharge from the program. Outcome evaluations of drug court programs generally focus on long-term measures of program success that are relevant to program goals of completion of treatment, reduction of substance abuse, involvement in community services, and prevention of criminal recidivism. Outcome evaluation tends to be the most useful for policy makers, administrators, and community constituents, and is the most persuasive in supporting ongoing program funding.

It is not always necessary to document long-term changes in criminal behavior or other outcomes in order to demonstrate the effectiveness of drug treatment programs. For example, several moderately intensive jail and prison treatment programs have been found to delay rates of rearrest, to increase the duration of abstinence, and to reduce levels of substance abuse among offenders released to the community. Despite the fact that many participants were eventually rearrested during a lengthy follow-up period, these programs were found to be effective in reducing short-term negative consequences to the community such as rearrest and incarceration in jail, even if they did not eliminate them altogether.

For short-term treatment programs that serve a large number of defendants, or for relatively inexpensive programs (e.g. outpatient treatment), the magnitude of outcomes does not have to be particularly large to demonstrate effectiveness. For example, outpatient programs that assist defendants to remain in the community without further criminal justice involvement for even short periods of time (e.g. several months) are significantly more cost-effective than incarceration. Similarly, interventions that have a small but consistent effect on program participants (e.g. outpatient group treatment, regular drug testing) may be more valuable for some types of defendants than interventions that have a large effect on a small number of program participants (e.g. residential treatment, or therapeutic community programs). Evaluations should not focus exclusively on abstinence as an outcome measure of AOD (alcohol or drug) use, but should also examine significant reductions in AOD use resulting from program participation. Similar incremental gains in employment, income/ economic status, utilization of services, and in other outcome measures can serve to demonstrate program effectiveness.

Outcome evaluations should carefully examine defendants' medical and mental health status, due to the strong relationship between substance abuse and other health problems. Successful participation in AOD treatment can lead to improved health, which often translates into clear cost savings, particularly when the participant is on public assistance. Many defendants entering treatment will receive primary health care for chronic conditions that they have neglected and that have been exacerbated by substance abuse. Substance abuse treatment has been shown to reduce the number of inpatient hospitalizations required for acute care of related medical conditions, to reduce HIV-risk behaviors, and to improve overall health status. For women, treatment can result in improvements in perinatal care, infant mortality, and infant birth weight.

Drug court participants often vary considerably in racial/ ethnic composition, age, gender, criminal justice history, drug of choice, and in other characteristics. It is useful to independently assess process and outcome results across several different "target" groups, recognizing that different "target" groups of program participants may respond quite differently to various components of the program. For example, a jurisdiction lacking Hispanic treatment counselors may experience less favorable outcomes among Hispanic participants. Programs should attempt to determine whether there are services that are more effective in treating different

"target" groups, whether certain groups are more likely to "drop out" of the program, and whether there are groups that do not benefit from the full array of program services. Evaluation of these issues can lead to improved allocation of program resources, program outcomes, and identification of new approaches to treatment.

2. Designing an Outcome Evaluation

a. Experimental Model

The most desirable type of evaluation design for a drug court program is an experimental model, in which defendants are randomly assigned to one of two groups: (1) an experimental group, that participates in the full range of program activities, and (2) a control group, that does not receive services, or that receives services that were available prior to implementation of the drug court program. The main advantage of an experimental design is that conclusions regarding outcomes can more accurately be attributed to group membership and to the drug court operation. Many drug court programs, however, have had difficulty in implementing a pure experimental model for evaluation for a number of reasons, including legal issues raised by a random assignment process and the fact that most drug court programs were not implemented in the context of a research design. If it is not possible to implement an experimental design, then quasi-experimental models are often used.

An example of a drug court program evaluation using an experimental model is the District of Columbia Superior Court Drug Intervention Program. Felony drug defendants admitted to the program are randomly assigned to one of three court calendars, each involving different combinations of treatment and sanctions: (1) a "graduated sanctions" program involving twice weekly drug testing, with sanctions for positive test results, (2) an "enhanced treatment program", involving participation in outpatient treatment, literacy and vocational activities, and drug testing five days per week, and (3) "existing treatment", involving twice weekly drug testing and referral to existing treatment programs in Washington D.C. A longitudinal evaluation study funded by the Center for Substance Abuse Treatment and the National Institute of Corrections is being conducted to examine outcomes for each of the three program "tracks".

b. Strategies for Addressing Ethical and Legal Issues that May Arise

(1) General Concerns

As noted earlier, concern regarding ethical and legal issues relating to random assignment of defendants to drug court programs may frequently provide barriers to implementing experimental designs in criminal justice settings. For example, the judge, prosecutor, or defense attorney may object to random assignment of defendants in determining who will receive the services of the drug court program. Public defenders may argue that it is unfair to arbitrarily withhold beneficial program services from defendants who have a demonstrated need for treatment simply on the basis of research design factors. Issues of equal protection under the law may also be raised if defendants are randomly assigned to "treatment" or "no treatment" groups.

(2) Assigning Defendants to Different "Levels" of Treatment

One strategy that has been used to allay concerns related to defendants' needs for, or rights to treatment is to assign defendants to one of several different "levels" of treatment. For example, defendants might be randomly assigned to a more intensive group (daily outpatient groups, drug education, and drug testing), or to a less intensive group (drug education and drug testing). This strategy insures that all defendants identified as needing substance abuse services are provided an opportunity to receive services. Experimental designs are also more tenable when defendants are not court-ordered to the drug court program, and when defendants provide a full and informed consent regarding their involvement in randomization procedures and other program evaluation activities. Potential legal and ethical issues in developing an evaluation design for a drug court program should be carefully reviewed with judges, prosecutors, and defense attorneys prior to implementing an experimental evaluation design.

c. Use of "Quasi-Experimental" Designs

(1) Pre-post Designs

If programs are unable to implement randomized experimental designs, attempts should be made to develop "quasi-experimental" designs. These designs provide somewhat less reliable results, but allow for scientifically rigorous and defensible examinations of follow-up outcomes. One type of quasi-experimental evaluation is a pre-post design, in which outcomes obtained

following discharge from the drug court program are compared with those obtained prior to program participation. For example, a defendant's frequency of drug use, frequency of arrests, or duration between arrests can be compared before and after admission to a drug court program. If time and resources permit, pre-post designs should examine more than a year before and after program involvement, to compensate for high expected rates of pre-treatment criminality and substance abuse.

Although pre-post designs are useful in assessing behavior change, they cannot account for other factors that may contribute to these changes. For example, a reduction in drug use among program participants might be influenced by a sudden decrease in the supply of drugs in a community. Using a pre-post design, this reduction might be mistakenly attributed to involvement in the drug court program. In contrast, an experimental design would have demonstrated reductions in drug use among both the "treatment" and "no-treatment" groups, thus clarifying the effects of treatment on defendants' drug use.

(2) Comparison Groups

Another type of quasi-experimental evaluation involves use of one or more comparison groups, rather than a randomly assigned "control" group. Using this approach, defendants who have participated in drug court programs are contrasted with similar groups of defendants who have not received drug court services. Comparison groups may consist of substance-abusing defendants who do not participate in (or who do not complete) the drug court program. These groups should include defendants who have substance abuse problems and who are otherwise similar to program participants in key areas such as criminal history, severity of most recent offense, age, gender, ethnicity, substance abuse history, employment, income, and in other areas in which eligibility criteria have been established for the program. It is often useful to "match" defendants in experimental and comparison groups to help compensate for the problem of "confounding" variables introduced through non-random assignment. Using this approach, unique characteristics of defendants from the experimental group are "matched" with those of defendants from the comparison group(s) in key areas (e.g. those described above) that are expected to affect program outcomes.

One desirable type of comparison group consists of defendants placed on a program "waiting list". Use of a "waiting list" comparison group minimizes differences in motivation for

treatment and other potential differences in program eligibility that may affect evaluation outcomes. Other criteria for forming comparison groups may include: (1) defendants who are eligible for the program but elect not to participate, and who receive a community disposition, (2) defendants who are discharged from the program prior to completion, and (3) other groups of defendants who are similar to program participants in key areas described above. If necessary, comparison groups may be selected from a neighboring precinct, court district, or municipality.

The main disadvantage of quasi-experimental approaches using comparison groups is that "confounding" variables (e.g. such as motivation to participate in the drug court program and to seek drug treatment, drug use severity, and "strength" of the defendant's court case) that are introduced through lack of random assignment may affect outcomes. For example, a comparison group of defendants who were discharged prior to completion of the drug court program may be less motivated to reduce their drug use and to become involved in treatment -- factors that may also be related to drug use and criminal involvement following discharge from the program. If potential confounding variables are not considered in evaluating results from this comparison group design, relative differences in drug use and rearrest during follow-up might be mistakenly attributed to duration of program involvement rather than to motivational differences between the groups. In contrast, use of an experimental design would minimize the motivational differences between groups through random assignment, and would eliminate this potential "confounding" of results. Another difficulty in using comparison groups is that key information (e.g. substance abuse severity, involvement in treatment) may not be available for groups that are not involved in the drug court program.

d. Questions an Outcome Evaluation Should Address

Among the questions an outcome evaluation should address include:

Have defendants made progress towards program goals and objectives, as measured by criminal justice, substance abuse, and other indicators of program impact examined during follow-up?

Is participation in the program related to reduced criminal recidivism?

Is participation in the program related to reduced levels of substance abuse?

Are participants more likely to remain or become employed as a result of

program involvement?

How many participants are actively involved in substance abuse treatment following completion of the program? Are defendants more likely to be involved in community treatment as a product of their program participation? Does involvement in the program lead to lower utilization rates for health and mental health services?

Does involvement in the program lead to favorable health and mental health outcomes?

Have defendants made progress towards treatment goals and objectives, as measured by outcomes observed within the program?

How many defendants have successfully completed the program?

How many defendants have been unsuccessfully discharged?

How many defendants have completed the program within the expected timeframe?

Have the treatment interventions improved defendants' skill levels and knowledge related to substance abuse treatment and prevention?

Have defendants' psychological functioning and self-esteem improved during involvement in treatment?

What types of services are most effective for different types of defendants?

What participant characteristics predict successful completion of the drug court program, and successful outcomes during follow-up?

Does involvement in follow-up treatment lead to favorable outcomes?

Is the level of program resources justified by the program outcomes obtained?

D. CRITICAL EVALUATION AREAS WHICH NEED TO BE ADDRESSED

1. Relevant Outcome Measures

The following is a list of outcome evaluation measures relevant to drug court programs. Discussion regarding special issues relating to compiling information on these various measures is provided in Section II which follows.

Criminal Justice System Involvement, including:

Arrests

Duration to first arrest

Duration between arrests (if less greater than one arrest)

Offense severity (for subsequent arrests)

- Drug possession offenses
- Other drug offenses
- Other non-violent offenses
- Violent offenses

Duration of incarceration

Number of technical violations

Substance Abuse

Duration to first use of drugs or alcohol

Duration between relapses

Type of substance(s) used

Employment

Number of days employed

Duration between jobs

Legal income

Termination of public assistance (if applicable)

Psychological and Emotional Functions

Depression

Self-esteem

Involvement in Substance Abuse Treatment

Use of Health Services

Outpatient medical/mental health care

Inpatient medical care/mental health care

Emergency room visits

Skills Acquisition

Quality of Life Measures

Stability of living situation

Satisfaction with family and social relationships

Health status

Cost Measures Related to Outcomes

Cost per arrest

Court and legal costs

Welfare and disability transfers

Costs for health care services

2. Special Issues Relevant to Compiling Information on Outcome Evaluation

Measures Relevant to Drug Court Programs

a. Criminal Involvement

(1) Significance of the Information

Information relating to the criminal involvement of participants in a drug court program is vital to:

Assess the impact of the program on public safety;

Identify the unique effects of the program in reducing criminal recidivism;

and,

Assist in conducting cost effectiveness analysis of the program from a criminal justice system perspective.

(2) Type of Information to Obtain

The most significant information relating to criminal activity among drug court participants will relate to criminal involvement during and after program participation. In this regard, the following information will be useful:

Dates of follow-up arrests, incarcerations, technical violations, or other violations of probation or conditions of the drug court program

Type of charges (offense severity), differentiating between "new" and "old" charges

Drug possession offenses

Other drug offenses

Other non-violent offenses

Violent offenses

Conviction/sentence status for each arrest

Dates, length of incarceration in jail and/or state or federal prison

Probation/parole status

Differentiation should be made regarding criminal activity occurring during the period of drug court participation and following termination. Information gathered for participants following drug court participation should be compiled for at least a one-year period. It may also be useful to follow defendants who successfully completed the program as well as those who were unsuccessful, particularly if they can be compared with a control group of defendants who never entered the program.

(3) Potential Sources of Information

A complete criminal justice history should be obtained for all defendants in the drug court program and for members of comparison groups used in the evaluation. This information is

available through various criminal justice databases maintained by county sheriffs, court administrators, prosecutors, public defenders. State and federal databases (e.g. NCIC) provide the most comprehensive arrest/conviction information, and should be reviewed whenever possible. Treatment and court/criminal justice records should be linked through use of unique participant identifying information, and merged within a 'master' data file that includes descriptive information, longitudinal records of defendants' involvement in the drug court program, and outcomes during the follow-up period (e.g. rearrest).

There are several problems related to examination of criminal justice databases, including restrictions placed on 'downloading' information from remote computer terminals. If computer staff within the host agency are unable to complete necessary compilation and analysis of criminal justice information, then evaluation staff must code arrest/conviction information directly from the remote computer screen or through 'paper' copies of individual records. Another problem related to access of criminal justice databases is the lengthy time required (often several months) to compile and add new arrest/conviction information to these databases. Probation and parole records provide more current arrest information, and can also serve to verify the accuracy of other criminal justice databases examined. Interviews with defendants at the time of program admission and during follow-up (e.g. one year after program discharge) are useful in determining the extent of unreported criminal activity. This approach was used successfully in developing the recent CALDATA study (Gerstein, Johnson, Harwood, Fountain, et al., 1994).

b. Substance Abuse

(1) Significance of the Information

Information regarding the substance abuse of participants in the drug court program is vital to any drug court program evaluation activities to:

Document participant progress towards rehabilitative goals; and

Identify the unique effects of the program in reducing substance abuse

(2) Type of Information to Obtain

Information regarding defendants' substance abuse can most be reflected in:

The results of urinalyses or hair analysis, including dates, positive/negative results, and type of drugs detected; and

Self-reported AOD abuse, and other reports of substance abuse from collaterals or described in probation and parole records.

(3) Potential Sources of Information

Urinalysis or hair analysis results should be obtained from treatment agency and court records. Other evidence of substance abuse may be identified in treatment progress notes, or through contact with collaterals (e.g. family members) or probation or parole officers. Interviews are often conducted during follow-up to assess substance abuse that occurred after discharge from treatment. Interview approaches are particularly useful due to the reduced frequency of follow-up drug testing results.

c. Progress Toward Other Treatment/Rehabilitative Goals

(1) Significance of the Information

The rigorous nature of drug court programs makes it vital that information be maintained on an ongoing basis to measure the progress of participants toward achieving the treatment and rehabilitation goals of the drug court from the time they enter the program. This information will:

Assist in describing participant progress during program involvement and follow-up

Provide "intermediate" indicators of program effectiveness in the absence of follow-up outcome results

Estimate program effects on utilization of community services

Provide multiple measures of program outcomes; and

Assist in conducting cost effectiveness analysis of the program

(2) Type of Information to Obtain

The type of information necessary to provide this feed-back includes:

Involvement in aftercare treatment and other ancillary services, length of treatment, disposition in follow-up treatment

Employment status

Psychological functioning, use of mental health services

Medical status/physical health, use of health services

Other indicators of positive social adjustment

- involvement in community services

- family and social functioning

Skills acquisition

Knowledge in specific areas related to the treatment program (e.g. relapse prevention strategies)

Counselor ratings of participation or progress

(3) Potential Sources of Information

Several assessment instruments can be administered on a repeated basis over the course of treatment and during follow-up to gauge changes over time in areas of skills development, knowledge acquisition, psychological functioning (e.g. depression), and self-esteem. Interviews conducted during involvement in the program and follow-up are also useful in assessing employment status, medical status, and use of mental health, substance abuse, and other health care services. Evaluators may also want to review records of state social service agencies or individual treatment/health care agencies to assess utilization of community services.

d. Determining Costs and Benefits of the Program

(1) Significance for Drug Court Programs

An area of growing importance is the evaluation of costs and benefits associated with substance abuse treatment. This type of analysis can greatly strengthen an evaluation of drug court programs by defining the economic impact of program outcomes. Within the climate of fiscal conservatism and competing demands for resources in which most jurisdictions operate, cost-benefit analysis can help to document the "return on investments" made in a drug court program.

Evaluations of the cost-effectiveness of treatment can produce powerful results. Recently, the results of an important long-term evaluation of the effectiveness of AOD abuse treatment were published by the California Department of Alcohol and Drug Programs (Gerstein, Johnson, Harwood, Fountain, et al., 1994). The two-year CALDATA study examined outcomes of nearly 150,000 clients who received various different types of AOD abuse treatment in 1992. Costs for treating the 150,000 clients amounted to \$209 million, while the benefits received during treatment and in the first year after discharge from treatment amounted to approximately \$1.4 billion, based on reductions in criminal activity and health care utilization. Thus, for every dollar spent on treatment, \$7 in future costs were saved.

(2) Cost-Benefit Questions

Key issues which a cost-benefit study should address include:

How much is spent on treatment and other program services?

How do costs of the program compare with costs of previous case disposition approaches?

What are the costs and benefits related to AOD use before, during and after involvement in the program?

What are the relative costs and benefits of different lengths of treatment, and

different types of treatment?

What are the costs and benefits of follow-up treatment (or aftercare)?

Are program outcomes worth the money invested?

(3) Strategies for Estimating Costs and Benefits

Cost-benefit evaluation strategies examine the economic impact of participants before and after involvement in the drug court program. Relative benefits achieved over time are then contrasted with costs of providing program services. Benefits are estimated in three major areas, including:

Reductions in costs associated with involvement in the criminal justice system;

Reductions in health care utilization; and

Increased economic productivity of program participants

Programs planning to conduct cost-benefit analyses should involve a health economist as a consultant to the evaluation team.

Several different types of benefits that are used to conduct the cost-benefit analysis are described in the CALDATA study (Gerstein, Johnson, Harwood, Fountain, et al., 1994), and include:

Savings in costs to the criminal justice system

Costs per arrest

Costs of crime-related court and legal costs

Costs of incarceration in jail & prison, costs of probation & parole services

Costs related to victim losses

Cost related to theft losses

Savings related to utilization of health care services

Costs of outpatient and inpatient medical care

Costs of emergency room use

Costs of outpatient and inpatient mental health care

Savings in income transfers

Costs related to lost earnings from legitimate work

Costs related to welfare and disability "transfers"

Cost-benefit analysis may be limited by reliance on inexact procedures to estimate benefits of drug court programs, when more accurate information is not available. For example, program benefits related to lower costs of jail incarceration may be figured through prorating daily costs of incarceration. One way to address this problem is to use statistical procedures to test the sensitivity of the cost-benefit estimate. Another way to address this problem is to present cost-effectiveness information for each outcome variable, in addition to the program's overall benefit-cost ratio (Shepard & Thompson, 1979). For example, a drug court program may result in 100 fewer arrests, 600 more days of employment, and 40 fewer hospitalizations than would have otherwise occurred. Although this information is not presented in "dollar" terms it may still be used to generate measures such as "cost per arrest avoided", which provides the basis for comparing the cost-effectiveness of different drug court approaches.

V. Other Program Evaluation Issues

A. SELECTING AN EVALUATOR

Drug court programs may be able to conduct a range of monitoring and process evaluation activities through use of internal staff. Larger criminal justice agencies may have research departments that can contribute to program evaluation, while larger municipalities may have general accounting offices or other inspection agencies that provide program evaluation expertise. Substance abuse treatment agencies in the community may also have access to

program evaluators through federal grant and technical assistance programs.

To develop more comprehensive evaluation activities, it is useful to involve an external evaluator that is not affiliated with participating agencies. External evaluators are less likely to experience conflicts of interest or bias in conducting the evaluation and are more likely to candidly appraise program strengths and weaknesses. Some drug court programs have collaborated with faculty, graduate students, or interns from local universities or colleges in developing an evaluation. Collaboration with universities to conduct evaluation research has recently been required by federal agencies that disburse grant funds for drug court programs.

Evaluators selected to work with drug court programs should have prior experience in examining criminal justice programs and a familiarity with substance abuse issues. The evaluator should be willing to adapt strategies to address questions that are important to program administrators and policymakers, and to regularly update program staff on the results of process and outcome evaluation. A proposal describing evaluation goals and objectives, methods and procedures, costs, timelines, and qualifications of evaluation staff should be developed prior to contracting with an evaluator. This proposal can then be adopted as part of the evaluation contract.

B. FUNDING FOR PROGRAM EVALUATION

1. Overview

Evaluation activities require a commitment of staff resources over a sustained period of time. Evaluation costs should be carefully assessed before developing a plan of specific activities. These costs vary considerably according to the scope of evaluation activities, and can commonly utilize approximately 10%-25% of the overall program budget. Federal grant programs, as well as many programs funded by state agencies and private foundations routinely require a comprehensive program evaluation. Several evaluation approaches are described in Figure 1, each involving different types of activities and different levels of resources. Actual costs will depend upon the existing availability of data for the program, the number of participants involved, the staff resources available to compile relevant information, as well

as the overall goals for the evaluation effort.

Figure 1: Alternative Evaluation Approaches and Relative Resources Required

Type of Evaluation Activities

(1) Least intensive:

Gather descriptive participant data:

Observe program activities, interview program staff, participants

Identify "intermediate" program outcomes (drug testing,
program attendance, referral for services)

(2) Moderately intensive:

Conduct all activities described in #1 above

Examine impact of program on criminal court system

Identify comparison group of defendants not involved in
program activities

Examine criminal justice outcomes, using local databases

(3) Most intensive:

Conduct all activities described in # 1 and #2 above

Review defendant involvement in services in each program phase

Examine criminal justice outcomes, using state or federal databases

Conduct follow-up interviews with sample of program participants

Track participant involvement in follow-up community treatment
for sample of program participants

A range of local, state, and federal resources are available to fund drug court program evaluation activities, including federal block grants that support diversionary services for non-incarcerated offenders. Federal and state grants to evaluate treatment programs developed for offenders may be reviewed by contacting agencies listed below. In some cases, evaluations may be supported by private foundations, businesses, or other agencies that are interested in supporting anti-drug programs. Municipal or university libraries often maintain listings of foundation grants that are offered for specific programs and populations. The Federal Register, available in many libraries, also provides listings of available federal grants.

2. Possible Funding Sources for Drug Court Program Evaluations

The following agencies may be potential sources for funding evaluation of drug court programs:

Federal Agencies

National Institute of Justice
Bureau of Justice Assistance
Center for Substance Abuse Treatment
National Institute on Drug Abuse
State Justice Institute

State Agencies

State social service, correctional agencies
Agencies administering Anti-Drug Abuse Act funds (pass through funds from the federal government distributed through the governor's office, or the state agency/department involved with community affairs)
Agencies administering the BJA formula grant program, also known as "Byrne" funds (pass through funds from the federal government distributed through the governor's office)

Private and Non-Profit Funding Sources

Local, state, and national foundation grants

Private businesses in the community

VI. Protection of Confidentiality and Data Security

Ethical and legal guidelines for conducting evaluation and research regarding drug court programs are described in a recent Center for Substance Abuse Treatment (CSAT) Treatment Improvement Protocol (TIP) Integrating Alcohol and Drug Treatment and Alternative Case Processing in the Justice System. Several key issues related to confidentiality of evaluation records are briefly highlighted in this section. Rigorous procedures should be followed to protect the confidentiality of defendants involved in the evaluation of drug court programs. Evaluation project staff should carefully adhere to federal confidentiality laws and regulations and all other applicable laws and regulations governing the confidentiality of information obtained from research subjects (DHHS 42 C.F.R. Part 2). A data security plan should also be prepared by evaluation staff. Confidentiality and human subjects protection procedures should be reviewed by agency or institutional review boards.

As indicated previously, informed consent should be obtained from defendants for their participation in evaluation activities. Informed consent protocols should describe evaluation goals, the expected levels of defendant involvement in evaluation activities, and risks and benefits attendant to participation.

Federal confidentiality regulations force disclosure of information for researchers/evaluators if no defendant-identifying information is revealed. These regulations also permit disclosure of defendant-identifying information without a defendant's consent under certain conditions. This type of disclosure is allowed for "scientific research" purposes if protocols have been developed to protect defendants' confidentiality and if these protocols have been

successfully reviewed by an Institutional Review Board, or other sanctioned reviewgroup.

Evaluation staff should work with the treatment agency, and other community agencies (e.g. public health agencies) to determine the level of access needed to treatment records, or other records related to community services obtained during program participation and follow-up. Signed releases by defendants should be obtained prior to review of these records. Whenever possible, defendants should be identified through numeric or alphanumeric codes (e.g. social security number, Sheriff's Office ID/booking number). Separate files should be used to store information used to link defendant-identifiers to evaluation data. All computerized files should be password protected, and access to defendant-identifying information should be limited to evaluation staff. Defendant-identifying information should not be shared with individuals outside the drug court program unless the defendant has provided a signed release of information.

Appendix A

References

(1) Bibliography of Recent Drug Court Evaluation Reports

GENERAL

General Accounting Office. Drug Courts: Information on a New Approach to Address Drug-Related Crime. Briefing Report to the Committee on the Judiciary, U.S.Senate, and the Committee on the Judiciary, House of Representatives. May 1995.

Shepard, D.S., and Thompson, M.S. First principles of cost-effectiveness analysis in health. Public Health Reports, 93: 535-543, November-December 1979.

SPECIFIC JURISDICTIONS

Maricopa County "Do Drugs: Do Time" Program

Deschenes, E.P., Greenwood, P.W., and Turner, S. Maricopa County's Drug Court: An Innovative Program for First-Time Drug Offenders on Probation. Paper presented at the Academy of Criminal Justice Sciences Meeting, Boston, Massachusetts, March, 1995.

Hepburn, John R., Johnston, Wayne, and Rogers, Scott. Do Drugs. Do Time: An Evaluation of the Maricopa County Demand Reduction Program. Oct. 1994.

California (Statewide)

Gerstein, D.R., Johnson, R.A., Harwood, H.J., Fountain, D., Suter, N., and Malloy, K. Evaluating Recovery Services: The California Drug and Alcohol Treatment Assessment (CALDATA). Sacramento, CA: California Department of Alcohol and Drug Programs, 1994.

Alameda County (Oakland), California F.I.R.S.T. Drug Court

Judge Jeffrey S. Tauber. An Evaluation of The Oakland Drug Court After Three Years. January 9, 1995.

FIRST Program: Oakland, California: Comparison and Outcomes of Pre and Post Program Participants in Diversion.

The Importance of Immediate and Intensive Intervention in a Court-Ordered Drug Rehabilitation Program: An Evaluation of the FIRST Diversion Project After Two Years (March 1993).

Tauber, J.S. The Importance of Immediate and Intensive Intervention in a Court-Ordered Drug Rehabilitation Program: An Evaluation of the F.I.R.S.T. Diversion Project After Two Years.

Report presented to the President's Commission on Model State Drug Laws, March, 1993.

District of Columbia Drug Court

Adele Harrell and Shannon Cavanagh. Preliminary Findings from the Evaluation of the D.C. Superior Court Drug Intervention. The Urban Institute. Washington D. C. November 16, 1995.
[comparison of graduated sanctions and treatment for drug felony defendants]

Broward County (Fort Lauderdale), Florida Drug Court

Broward County Commission Auditor's Office. A Performance Review of the Drug Court Treatment Program. February 17, 1995.

An Evaluation of the Broward and Hillsborough Counties Drug Courts. Florida State University. Institute for Health and Human Services Research. December 1993.

W. Clinton Terry, III Ph.D. Broward County Drug Court: A Preliminary Report. (November 1993).

W. Clinton Terry, III Ph.D. Repeat Offenses of the First Year Cohort of Broward County, Florida's Drug Court". November 1995.

Dade County (Miami), Florida Drug Court

Goldkamp, J.S., and Weiland, D. Assessing the Impact of Dade County's Felony Drug Court. Washington, D.C.: National Institute of Justice, 1993.

John S. Goldkamp and Doris Weiland. Assessing the Impact of Dade County's Felony Drug Court. Final Report. August 1993 (study sponsored by the State Justice Institute and the National Institute of Justice).

John S. Goldkamp and Doris Weiland. "Assessing the Impact of Dade County's Felony Drug Court."
National Institute of Justice Research in Brief. December 1993.

National Institute of Justice "Miami's "Drug Court: A Different Approach". June 1993.

Florida Department of Community Affairs; Division of Housing and Community Development/Bureau
of Community Assistance: Drug Treatment Programs for Florida's Offenders Funded by the Drug
Control and System Improvement Grant: FYs 1990 - 1993 (including specific participant and
summary evaluative information on projects funded in 35 of the counties in the state).

Jackson County, (Kansas City), Missouri

Bill D. Geis and Marilyn J. Powell. A Pilot Study to Determine Effects of Acupuncture on
Psychiatric Symptoms and Craving Levels in a Drug Court Diversion Program: Preliminary Findings.
Central Kansas City Mental Health Services. (1995).

N. Andrew Peterson. "Evaluation of the First Year of Operation of the Jackson County Drug Court".
Research and Evaluation/ Kauffman Foundation. December 1994.

N. Andrew Peterson. "Evaluation of the First Year of Operation of the Jackson County Drug Court".
Research and Evaluation/Kauffman Foundation. April, 1995.

N. A. Peterson and R. Jameson. Process Evaluation of the Jackson County Drug Court Diversion
Program. March 1994.

Travis County (Austin), Texas SHORT Program

Cindy Roberts-Gray. Evaluation Report: SHORT Program. December 15, 1994.

(2) Additional Reference Sources Relevant to Drug Court Program Evaluation

* The Center for Substance Abuse Treatment has developed a Treatment Improvement Protocol (TIP) entitled Developing State Outcomes Monitoring Systems for Alcohol and Other Drug Abuse Treatment (1994), that reviews monitoring and evaluation strategies to enhance substance abuse treatment programs.

* The National Institute on Drug Abuse has also published a technology transfer package How Good Is Your Drug Abuse Treatment Program? to help program administrators and staff in developing an evaluation plan and to conduct program evaluations. This package includes an overview and case study manual, a guide to evaluation, resource manual, and "looseleaf" worksheets and agendas. It is available free of charge from the National Clearinghouse for Alcohol and Drug Information, (800) 729-6686 or (301) 468-2600; TDD (for hearing impaired) (800) 487-4889.

* Several useful guidelines for evaluating drug court programs are included in Appendix I of the Drug Court Grant Program: Program Guidelines and Application Information (1995), published by the Department of Justice, Office of Justice Programs.

* Other sources of information related to drug court program evaluation include the following:

- Drug Courts Program Office
Office of Justice Programs
U.S. Department of Justice
633 Indiana Avenue N.W.
Washington D. C. 20531
(202) 616-5001

- OJP Drug Court Clearinghouse and Technical Assistance Project
The American University
4400 Massachusetts Avenue N.W.
Brandywine Suite 660

Washington D. C. 20016-8159

(202) 885-2875

- National Association of Drug Court Professionals

901 N. Pitt Street

Alexandria, Virginia 22314

(703) 706-0563

- National Center for State Courts

300 Newport Avenue

Williamsburg, Virginia 23187

(804) 253-2000

- National Consortium of TASC Programs

8630 Fenton Street, Suite 121

Silver Spring, Maryland 20910

(301) 608-0595

Appendix B

The following section contains information elements which are relevant to the conduct of process and outcome evaluations of drug court programs. They are presented in a format consistent with the creation of a data base for drug court program participants in three categories:

(1) those who are currently enrolled; (2) those who have been terminated unsuccessfully from the program; and (3) those who have successfully completed the program. Where relevant, the data elements are repeated in each of the categories so that the listing can be given to a programmer (who may not be familiar with drug program operations) to develop the drug court data base program.

Contents

I. Program Goals

II. Pre-Program Situation

Applicable Sanctions for Target Populations:

Recidivism:

Treatment Services Provided:

III. Drug Court Program Participant Information

A. CUMULATIVE INFORMATION

1. Total defendants eligible for the program
2. Total defendants who have agreed to participate in program
3. Total defendants who have withdrawn from the program voluntarily and reasons for withdrawal
4. Total defendants in benchwarrant status and average/median time in benchwarrant status
5. Total defendants terminated from the program for unsuccessful performance
6. Total defendants dismissed from the program for other reasons (died, etc.)
7. Total defendants who have successfully completed the program
8. Total defendants participating in the program
9. Defendant/performance characteristics

B. INFORMATION ON INDIVIDUAL PARTICIPANTS

1. Information on defendants who have successfully completed the program:
Average range of time to complete program

Rearrests and nature of rearrest

Urinalysis Results

Treatment Attendance

FTA History

Criminal History

Drug Usage Information

prior Treatment Program Participation

2. Information on defendants who were terminated from the program characteristics of defendants/personal information

- average age/range of ages
- sex
- ethnic affiliation
- frequency of moves during past 5 years
- educational level
- employment status
- marital status
- parental status
- Criminal History Information
- Drug Usage Information
- Prior Treatment Program Participation

3. Information on defendants currently enrolled in the program

- Rearrests and nature of rearrest offense
- Urinalysis Results (treatment coordinator)
- Treatment Program Attendance (treatment coordinator)
- FTA history
- characteristics of Defendants/personal information
- employment status
- marital status
- parental status
- Criminal History Information
- Drug Usage Information

IV. Cost/Benefit Information

- Estimated costs for the program
- Estimated savings from the program
- Program income
- Other benefits [if applicable]
- Jail space made available [for violent and other offenders requiring incarceration
- Recidivism ratios [and associated productivity resulting]
- Productivity of defendants (job income, taxes generated, etc. and savings in welfare costs)
- Savings Related to utilization of health care services

**GUIDELINE FOR COMPILING AND ENTERING INTO A DATA BASE
INFORMATION RELEVANT TO DRUG COURT PROGRAM EVALUATION**

(with notations regarding likely sources for this information)

I. Program Goals (judge/court; prosecutor; public defender)

II. Pre-Program Situation (prosecutor, court/public defender)

Applicable Sanctions for Target Populations:

- range of sanctions applicable
- range of sentences imposed
- range of actual time served

Recidivism:

- new arrests of defendants in target population prior to disposition and nature of new arrest charge

drug possession offenses

other drug offenses

other nonviolent offenses

violent offenses

- estimated recidivism rates for convicted offenders (broken down by appropriate period, such as within first six months of disposition; second six months of disposition, etc.) involving:

drug possession offenses

other drug offenses

other nonviolent offenses

violent offenses

Treatment Services Provided:

- treatment programs available to target population (Pretrial Services Agency/Prob. Dept.)
- nature of treatment services provided
- duration of treatment services provided
- estimated impact of treatment services provided (e.g., % of persons who successfully complete program and impact on drug usage, rearrest, employment, family situation, etc.)

III. Drug Court Program Participant Information

A. CUMULATIVE INFORMATION

1. Total defendants eligible for the program
(prosecutor/public defender/court)
2. Total defendants who have agreed to participate in program
(prosecutor/public defender/court)
3. Total defendants who have withdrawn from the

program voluntarily and reasons for withdrawal

(prosecutor/public defender/court)

4. Total defendants in benchwarrant status and average/median time in benchwarrant status

5. Total defendants terminated from the program for unsuccessful performance
(prosecutor/public defender/court)

6. Total defendants dismissed from the program for other reasons (died, etc.)
(prosecutor/public defender/court)

7. Total defendants who have successfully completed the program
(prosecutor/public defender/court)

It may be useful to compile this information by quarters or semiannual segments to permit correlation with any external factors that may influence participant performance, such as occurring during the start-up, or prior to a change in procedure, or change in treatment provider, etc.;

8. Total defendants participating in the program
(prosecutor/public defender/court)

9. Defendant/performance characteristics

Note: The information elements listed below will not require as much information gathering as might appear; the information elements are broken down into three categories: defendants who completed program; defendants who were terminated; and defendants who are currently participating, with similar information compiled for each group; it may be useful to compile this information by quarters also for the reasons stated above.

B. INFORMATION ON INDIVIDUAL PARTICIPANTS

1. Information on Defendants who have successfully completed the program:

Average range of time to complete (treatment coordinator/court):

Phase I

Phase II

Phase III, etc.

Rearrests and nature of rearrest: (prosecutor/public defender/court):

during Phase I

drug possession offenses

other drug offenses

other nonviolent offenses

violent offenses

during Phase II

drug possession offenses

other drug offenses

other nonviolent offenses

violent offenses

drug Phase III

drug possession offenses

other drug offenses

other nonviolent offenses

violent offenses

Urinalysis Results (treatment coordinator):

average/range of dirty analyses

during Phase I

during Phase II

during Phase III

Treatment Attendance (treatment coordinator)

average/range of missed treatment/counselling appointments

during Phase I

during Phase II

during Phase III

length of time out of treatment

during Phase I

during Phase II

during Phase III

FTA History (Court):

average/range of FTA's for court hearings

during Phase I

during Phase II

during Phase III

length of time in benchwarrant status

during Phase I

during Phase II

during Phase III

Characteristics of Defendants/personal information: (intake officer/pretrial services agency/treatment coordinator)

- average age/range of-ages

- sex

- ethnic affiliation

- frequency of moves during past 5 years

- educational level:

average/range at start of program participation average/range at end of

program participation

- employment status

persons unemployed

number of persons unemployed at start of program participation

number of unemployed persons who obtain employment by end of program participation

persons employed

number of persons employed at start of program participation

number of persons employed at start of program who are unemployed by end of program participation

- marital status

at program commencement

single

separated

divorced

widowed

with significant other

at program completion

(summary of changes)

- parental status:

number of participants who were pregnant during program participation

- parental status: (continued)

number of program participants who delivered babies:

during program participation

babies were:

drug free

drug dependent

after program participation

babies were:

drug free

drug dependent

number of participants who are parents

average/range of ages of children

Criminal History Information (prosecutor/public defender)

number/percent with no prior convictions

number/percent with juvenile convictions only

average number/range by nature of offense

drug possession offenses

two or less

three to five

over five

other drug offenses

two or less

three to five

over five

other nonviolent offenses

two or less

three to five

over five

violent offenses

two or less

three to five

over five

number/percent with adult misdemeanor convictions only

[average number/range by nature of offense using same

breakdown as provided above for juvenile offenses]

number/percent with adult felony convictions only

[average number/range by nature of offense using same breakdown

as provided above for juvenile offenses]

number/percent with juvenile and adult misdemeanor convictions

[average number/range by nature of offense using same breakdown as

provided above for juvenile offenses]

number/percent with juvenile and adult felony convictions

[average number/range by nature of offense using same breakdown
as provided above for juvenile offenses]

number/percent with juvenile and adult misdemeanor and felony convictions

[average number/range by nature of offense using same breakdown
as provided above for juvenile offenses]

Drug Usage Information (treatment coordinator intake sheets)

drug of choice

length of time of drug usage prior to program entry

frequency of drug usage

during Phase I

during Phase II

during Phase III

Prior Treatment Program Participation

number of participants who had previously participated in
a drug treatment program

one program

two programs

three or more programs

number of participants who had previously completed a drug
treatment program

one program

two programs

three programs

2. Information on defendants who were terminated from the
program

Average range point at which client was terminated

Phase I (days)

Phase II (days)

Phase III (days), etc.

Rearrests and nature of rearrest offense (prosecutor/public defender/court):

during Phase I

drug possession offenses

other drug offenses

other nonviolent offenses

violent offenses

Rearrests and nature of rearrest offense (prosecutor/public defender/court):

during Phase II

drug possession offenses

other drug offenses

other nonviolent offenses

violent offenses

during Phase III

drug possession offenses

other drug offenses

other nonviolent offenses

violent offenses

Urinalysis Results (treatment coordinator):

average/range of dirty analyses

during Phase I

during Phase II

during Phase III

Treatment Program Attendance (treatment coordinator)

average/range of missed treatment/counseling appointments

during Phase I

during Phase II

during Phase III

length of time out of treatment

during Phase I

during Phase II

during Phase III

FTA History (Court):

average/range of FTA's for court hearings

during Phase I

during Phase II

during Phase III

length of time in benchwarrant status

during Phase I

during Phase II

during Phase III

Personal characteristics of defendants: (intake officer/pretrial services agency/
treatment coordinator)

- average age/range of ages
- sex
- ethnic affiliation
- frequency of moves during past 5 years
- educational level:
 - average/range at start of program participation average/range at end of
program participation
- employment status:
 - persons unemployed
 - number of persons unemployed at start of program
participation
 - number of unemployed persons who obtained
employment by end of program participation
 - persons employed
 - number of persons employed at start of program participation
 - number of persons employed at start of program who were unemployed
by end of program participation
- marital status:
 - at program commencement
 - single

separated
divorced
widowed
with significant other
at program completion
(summary of changes)

- parental status:

number of participants who were pregnant during program participation

number of program participants who delivered babies:

during program participation

babies were:

drug free

drug dependent

after program participation

babies were:

drug free

drug dependent

number of participants who are parents

average/range of ages of children

Criminal History Information (prosecutor/public defender)

number/percent with no prior convictions

number/percent with juvenile convictions only

average number/range by nature of offense

drug possession offenses

two or less

three to five

over five

other drug offenses

two or less

three to five

over five

other nonviolent offenses

two or less

three to five

over five

violent offenses

two or less

three to five

over five

number/percent with adult misdemeanor convictions only

[average number/range by feature of offense using same breakdown
as provided above for juvenile offenses]

number/percent with adult felony convictions only

[average number/range by nature of offense using same breakdown
as provided above for juvenile offenses]

number/percent with juvenile and adult misdemeanor convictions

[average number/range by nature of offense using same breakdown
as provided above for juvenile offenses]

number/percent with juvenile and adult felony convictions

[average number/range by nature of offense using same breakdown
as provided above for juvenile offenses]

number/percent with juvenile and adult misdemeanor and felony
convictions

[average number/range by nature of offense using same breakdown
as provided above for juvenile offenses]

Drug Usage Information (treatment coordinator intake sheets)

drug of choice

length of time of drug usage prior to program entry

frequency of drug usage prior to program entry

frequency of drug usage

during Phase I

during Phase II

during Phase III

Prior Treatment Program Participation

number of participants who had previously participated in
a drug treatment program

one program

two programs

three or more programs

number of participants who had previously completed a drug
treatment program

one program

two programs

three programs

3. Information on defendants currently enrolled in the
program (court/treatment coordinator)

[break down by participants in each Phase: e.g., Phase I, Phase II, etc.]

- Rearrests and nature of rearrest offense: (prosecutor/public
defender/court)

during Phase I

drug possession offenses

other drug offenses

other nonviolent offenses

violent offenses

during Phase II

drug possession offenses

other drug offenses

other nonviolent offenses

violent offenses

- during Phase III
 - drug possession offenses
 - other drug offenses
 - other nonviolent offenses
 - violent offenses
- Urinalysis Results (treatment coordinator)
 - average/range of positive urinalyses
 - during Phase I
 - during Phase II
 - during Phase III
- Treatment Program Attendance (treatment coordinator)
 - average/range of missed treatment/counselling appointments
 - during Phase I
 - during Phase II
 - during Phase III
 - length of time out of treatment
 - during Phase I
 - during Phase II
 - during Phase III
- FTA history (Court)
 - average/range of FTA's for court hearings:
 - during Phase I
 - during Phase II
 - during Phase III
- Characteristics of Defendants/personal information: (intake officer/pretrial services agency/treatment coordinator)
 - average age/range of ages
 - sex
 - ethnic affiliation
- Frequency of moves during past five years

- Educational level:
average/range at start of program participation
average/range at end of program participation

- Employment status:
persons unemployed
 number of persons unemployed at start of program
 participation
 number of unemployed persons who obtain employment by
 end of program participation

persons employed
 number of persons employed at start of program
 participation
 number of persons employed at start of program who are
 unemployed by end of program participation

- Marital status:
at program commencement
 single
 separated
 divorced
 widowed
 with significant other
at program completion
 (summary of changes)

- Parental status:
number of participants who were pregnant during program
number of program participants who delivered babies:
 during program participation
 babies were:

drug free

drug dependent

after program participation

babies were:

drug free

drug dependent

number of participants who are parents

average/range of ages of children

- Criminal History Information (prosecutor/public defender)

number/percent with no prior convictions

number/percent with juvenile convictions only

average number/range by nature of offense

drug possession offenses

two or less

three to five

over five

other drug offenses

two or less

three to five

over five

number/percent with juvenile convictions only

other nonviolent offenses

two or less

three to five

over five

violent offenses

two or less

three to five

over five

- Criminal History Information (prosecutor/public defender)

number/percent with adult misdemeanor convictions only

[average number/range by nature of offense using same

breakdown as provided above for juvenile offenses]

number/percent with adult felony convictions only

[average number/range by nature of offense using same
breakdown as provided above for juvenile offenses]

number/percent with juvenile and adult misdemeanor
convictions

[average number/range by nature of offense using same
breakdown as provided above for juvenile offenses]

number/percent with juvenile and adult felony convictions

[average number/range by nature of offense using same
breakdown as provided above for juvenile offenses]

number/percent with juvenile and adult misdemeanor and
felony convictions

[average number/range by nature of offense using same
breakdown as provided above for juvenile offenses]

- Drug Usage Information (treatment coordinator intake sheets)

drug of choice

length of time of drug usage prior to program entry

frequency of drug usage

during Phase I

during Phase II

during Phase III

- Prior Treatment Program Participation

number of participants who had previously participated in a drug
treatment program

one program

two programs

three or more programs

number of participants who had previously completed a drug
treatment program

one program

two programs

three or more programs

IV. COST/BENEFIT INFORMATION

- Estimated costs for the program (prosecutor/public defender/court/corrections)
 - judge time
 - court staff time
 - prosecutor time
 - public defender time
 - jail time
 - treatment coordinator/treatment provider services
 - equipment/information system costs
 - other
 - needs not yet met

- Estimated savings from the program (prosecutor,
public defender, court, corrections, law enforcement)
 - police appearance time
 - other witness time
 - grand jury costs
 - court appearances eliminated (and savings for
court prosecutor, public defender, etc.)
 - pretrial service staff time
 - probation staff time
 - jail beds
 - other

- Program income: (Court)

- Other benefits [if applicable]: prosecutor, public defender, court, corrections, law enforcement, community organizations (business and other)
- Judicial time/resources made available [for other cases?]
- Jail space made available [for violent and other offenders requiring incarceration]
- Recidivism ratios [and associated productivity resulting]
- Productivity of defendants (job income, taxes generated, etc. and savings in welfare costs)